

REMARKS

Claims 1–5, 8–13 and 16–18 are pending. Reconsideration of the application is requested.

§ 102 Rejections

Claims 1–5, 8–13 and 16–18 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent 6,164,494 (hereinafter Mareli).

The Patent Office does not point to anything in Mareli that teaches, suggests or describes that the first region of the counter member that is engaged by the trigger during its outward stroke causing the counter member to undergo counting motion and a second region that is engaged by the ratchet member during the return stroke of the trigger causing the counter member to undergo further counting motion to complete said predetermined counting movement. Indeed, the Patent Office does not even mention these features of claim 1 in its rejection over Mareli.

The rejection of claim 1 under 35 USC § 102(b) as being anticipated by Mareli is inappropriate and should be withdrawn.

Claims 2–5, 8–13 and 16–18 each ultimately depend from and incorporate the features of claim 1. Because the rejection of claim 1 fails to establish a prima facie case for anticipation as discussed above, the rejection of dependent claims 2–5, 8–13 and 16–18 fail for at least these same reasons. Accordingly, the rejection of claims 1–5, 8–13 and 16–18 as being anticipated by Mareli is inappropriate and should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Examination and reconsideration of the application is requested.

Respectfully submitted,

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Date

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